

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

~~SECRETARY OF STATE~~
~~ADMINISTRATIVE RULES~~

A “SEPARATE” rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-51.010
 Diskette File Name Orders of Rulemaking - Chapter 51 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | This transmittal completed | <input type="checkbox"/> | Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> | Cover letter | <input type="checkbox"/> | Authority with history of the rule |
| <input type="checkbox"/> | Affidavit | <input type="checkbox"/> | Public cost |
| <input type="checkbox"/> | Forms, number of pages ____ | <input type="checkbox"/> | Private cost |
| <input type="checkbox"/> | Fiscal notes | <input type="checkbox"/> | Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☐ rule ☐ amendment ☒ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be adopted in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

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Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-51.010 - Schedule of Fees

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 51 – Water Service Territorial Agreements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 247.172, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

4 CSR 240-51.010 Schedule of Fees is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1650). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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**SECRETARY OF STATE
ADMINISTRATIVE RULES**

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MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-60.030
Diskette File Name Orders of Rulemaking - Chapter 60 Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

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| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

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- ☐ In addition
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RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

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☒ Statutory 30 days

Specific date _____

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☐ YES

☒ NO

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CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-60.030 - Tariff Schedules

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 60 – Standards of Service by Sewer Utilities

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 393.140(11), RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

4 CSR 240-60.030 Tariff Schedules is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1650-1651). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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A. Rule Number Chapter 4 CSR 240-80.010
 Diskette File Name Orders of Rulemaking - Chapter 80 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

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| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
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D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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E. ORDER OF RULEMAKING: Rule Number _____

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☒ Statutory 30 days

Specific date _____

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☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-80.010 - Rate Schedules

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 -- DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 -- Public Service Commission
Chapter 80 -- Steam Heating Utilities

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 393.290, RSMo 2000, as currently supplemented, the commission rescinds a rule as follows:

4 CSR 240-80.010 Rate Schedules is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1651). No changes have been made in the proposed rescission, so it is not reprinted here. The proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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 Diskette File Name Orders of Rulemaking - Chapter 80 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
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C. RULEMAKING ACTION TO BE TAKEN

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RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

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DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-80.020 - Uniform System of Accounts – Heating Companies

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
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P. O. Box 360, Jefferson City, MO 65101
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Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 80 – Steam Heating Utilities

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ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under sections 386.250, 393.140 and 393.290, RSMo 2000, as currently supplemented, the commission amends a rule as follows:

4 CSR 240-80.020 Uniform System of Accounts--Heating Companies is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1651-1652). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication of the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

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Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
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C. RULEMAKING ACTION TO BE TAKEN

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Public Service Commission*

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Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.010 - General Definitions

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.010 General Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1578-1580). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission did not receive any written comments regarding this proposed rule, but a representative of one entity offered testimony pertaining to the subject of the organization of the various Chapter 3 rules at the public hearing that the commission held regarding the rulemakings related to the development of the commission's new Chapter 3. The testimony offered at the public hearing focused on the definition rules in the new Chapter 3 and how the placement of those rules affected the overall organization of the Chapter 3 rules. The period for receiving written comments on this proposed rule and the other rulemakings related to the development of Chapter 3 ended on October 16, 2002. The public hearing that the commission held on this proposed rule and the other rulemakings related to the development of Chapter 3 occurred on October 25, 2002.

COMMENTS: Other than the testimony offered in support of the Chapter 3 related rulemakings by the staff of the commission at the public hearing, the only other testimony offered was presented by a representative of a local law firm. That same firm also offered substantial written comments regarding the subject rulemakings. In addition to testimony offered in response to questions from the commission regarding the firm's written comments, the firm's representative also raised an issue regarding the organization of the Chapter 3 rules. This testimony generally dealt with the fact that not all of the rules in the various "blocks" of rules in the proposed Chapter 3 were numbered consistently from the viewpoint of similar requirements that exist from block to block. Specifically, the firm's representative noted that it would have generally been easier to follow the rules if the first rule in every block covered the same subject. The firm's representative further noted that in all but two instances the first rule in each block was the rule that included the definitions of the terms used in the rules in each block. In response to questions from the commission during the hearing, the commission staff's representative testified that the two "blocks" of rules that did not begin with a definition rule did not need such a rule. The staff's representative testified that the reason for this is that all definitions needed for these blocks of rules (the block's pertaining to steam heating utilities and water utilities) are contained in rule 3.010, which is the "general" definition rule in Chapter 3. The staff's representative further testified that the staff would check with the Secretary of State's rulemaking division to see if the proposed rules in these blocks could be modified to include a "new" reference definition rule, which would also require renumbering of the other proposed rules and any internal rule references in those blocks.

RESPONSE: Based upon research conducted by its staff subsequent to the public hearing, the commission understands that the issue regarding the numbering inconsistency raised during the public hearing could be addressed. One way to address this issue would be to add a definition rule to the two blocks of rules that do not currently begin with a definition rule and renumber the other rules in those blocks accordingly. The commission has, however, chosen not to undertake that effort at this time. Rather, the commission will undertake that effort as a part of future rulemaking activities that affect these two blocks of rules. No changes have been made to this proposed rule, or any other proposed rule related to the development of the new Chapter 3, as a result of the comments offered at the public hearing.

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-3.015
Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000
Name of Person to call with questions about this rule:
Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.015 - Filing Requirements for Utility Company Applications
for Waivers or Variances**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.015 Filing Requirements for Utility Company Applications for Waivers or Variances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1580). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE FILES**

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.105

Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- ☒ This transmittal completed
- ☒ Cover letter
- ☐ Affidavit
- ☐ Forms, number of pages ____
- ☐ Fiscal notes

- ☐ Incorporation by reference materials, if any
- ☐ Authority with history of the rule
- ☐ Public cost
- ☐ Private cost
- ☐ Hearing and comment period

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.105 - Filing Requirements for Electric Utility Applications for
Certificates of Convenience and Necessity**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

**4 CSR 240-3.105 Filing Requirements for Electric Utility
Applications for Certificates of Convenience and Necessity is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1583-1584). No changes have been made in the text of the proposed rule, so it is not reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on the inclusion of the term "gas transmission lines" in one section of the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule stated that the inclusion of the term "gas transmission lines" in subsection (1)(B) is an apparent mistake as this rule applies to electric utility applications for certificates of convenience and necessity, and that certificate application requirements related to gas transmission lines are covered in the corresponding rule related to gas utilities (4 CSR 240-3.205).

RESPONSE: The commission acknowledges that the requirements related to gas utility certificates of convenience and necessity are contained in 4 CSR 240-3.205 as is noted in the comments. The commission also notes, however, that it could be necessary for an electric utility to construct gas transmission lines, and thus necessary for the electric utility to obtain a certificate of convenience and necessity for such lines. It is for this reason that the term "gas transmission lines" is included in this rule. Based on the above, no changes have been made to the proposed rule as a result of these comments.

RULE TRANSMITTAL

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.205
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages _____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
 MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
 MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in **section 3**, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

**RE: Chapter 4 CSR 240-3.205 - Filing Requirements for Gas Utility Applications for
Certificates of Convenience and Necessity**

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Informed Consumers, Quality Utility Services, and a Dedicated Organization for Missourians in the 21st Century

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.205 Filing Requirements for Gas Utility
Applications for Certificates of Convenience and Necessity **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1599-1600). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED
JAN 23 2003
SECRETARY OF
ADMINISTRATIVE RULES

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.220
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: Chapter 4 CSR 240-3.220 - Filing Requirements for Gas Utility Applications for Authority to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

**Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.220 Filing Requirements for Gas Utility Applications for Authority
to Issue Stock, Bonds, Notes and Other Evidences of Indebtedness **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1601). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED

JAN 23 2003

**SECRETARY OF STATE
ADMINISTRATIVE RULES**

RULE TRANSMITTAL

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.250
 Diskette File Name Orders of Rulemaking - Chapter 3 Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages <u> </u> | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days
Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES ☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.250 - Submission of Gas Utility Residential Heat-Related Service Cold Weather Report

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386. 250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.250 Submission of Gas Utility Residential Heat-Related Service Cold Weather Report **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1604-1605). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RULE TRANSMITTAL (

*Administrative Rules Stamp

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.260
 Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000
 Name of Person to call with questions about this rule:
 Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285
 Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above
 Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us
 Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
 Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000
 Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages ____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.260

The change being made to this rule consists of the correction of a typographical error in section (3) of the rule. Specifically, an underscore five spaces in length is being added to the end of the fifth sentence.

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.260 - Filing Requirements for Gas Utility Rate Schedules

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 – Public Service Commission
Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 393.140, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4CSR 240-3.260 Filing Requirements for Gas Utility Rate Schedules is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1606). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on an apparent typographical error in the rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule pointed out an apparent typographical error in section (3) of the proposed rule, regarding the omission of an underscore at the end of the fifth sentence of this section.

RESPONSE AND EXPLANATION OF CHANGE: The commission agrees that the noted typographical error exists and is modifying section (3) of the proposed rule accordingly.

4CSR 240-3.260 Filing Requirements for Gas Utility Rate Schedules

(3) Rate schedules shall be drawn up substantially in accordance with Form No. 14 and shall be plainly printed or typewritten on good quality of paper of size eight and one-half inches by eleven inches (8 1/2" x 11") in book, sheet or pamphlet form. A loose-leaf plan may be used so changes can be made by reprinting and inserting a single leaf. When the loose-leaf plan is used, all sheets, except the title page sheet, must show in the marginal space at the top of the page the name of the gas corporation issuing, the PSC number of schedule and the number of the page. In the marginal space at the bottom of sheet should be shown--the date of issue, the effective date and the name, title and address of the officer by whom the schedule is issued. All schedules shall bear a number with the prefix PSC Mo _____. Schedules shall be numbered in consecutive serial order beginning with number 1 for each gas corporation. If a schedule or part of a schedule is cancelled, a new schedule or part thereof (sheet(s) if loose-leaf) will refer to the schedule canceled by its PSC number; thus: PSC Mo. No. _____ canceling PSC Mo. No. _____.

RULE TRANSMITTAL (

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

*Administrative Rules Stamp

RECEIVED

JAN 23 2003

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number Chapter 4 CSR 240-3.300

Diskette File Name Orders of Rulemaking - Chapter 3 Rules Word 2000

Name of Person to call with questions about this rule:

Content Cliff E. Snodgrass & Dale Johansen Phone 573-751-3966 FAX 573-751-9285

Data Entry Rosemarie Riedl Phone 573-751-7468 FAX Same as above

Email Address cliffsnodgrass@psc.state.mo.us or dalejohansen@psc.state.mo.us

Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO

Statutory Authority 393.140(11), 386.250(6), 536.016(1) Current RSMo date 2000

Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- ☒ This transmittal completed
- ☒ Cover letter
- ☐ Affidavit
- ☐ Forms, number of pages ____
- ☐ Fiscal notes

- ☐ Incorporation by reference materials, if any
- ☐ Authority with history of the rule
- ☐ Public cost
- ☐ Private cost
- ☐ Hearing and comment period

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date _____
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

JCAR Stamp

NOTE: ALL changes MUST be specified here in order for those changes to be published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text? _____

☒ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

Summary of Changes for 3.300

This rule has been changed by inserting one additional definition in the rule. Specifically, the definition of the term "sewage" has been added as section (2), which has also resulted in a renumbering of original sections (2) & (3) to sections (3) & (4).

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY—
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.300 - Definitions Pertaining Specifically to Sewer Utility Rules

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr
Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 3 – Filing and Reporting Requirements

RECEIVED

JAN 23 2003

ORDER OF RULEMAKING

SECRETARY OF STATE
ADMINISTRATIVE RULES

By the authority vested in the Missouri Public Service Commission under section 386.250, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.300 Definitions Pertaining Specifically to Sewer Utility Rules is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1610). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The commission received written comments from one entity regarding this proposed rule. The comments focused on whether additional definitions need to be included in this rule. The period for receiving written comments on this proposed rule ended on October 16, 2002. The commission held a public hearing on this proposed rule on October 25, 2002, but received no comments regarding the rule at that hearing.

COMMENTS: The entity that submitted comments regarding this proposed rule noted that certain definitions pertaining to sewer utilities, which are found in Commission rule 60.010(3), are not included in this rule or in rule 3.010 (the general definition rule for Chapter 3 that is referenced in this rule) and suggested that such definitions should at least be referenced in this rule.

RESPONSE AND EXPLANATION OF CHANGE: The commission acknowledges that certain definitions contained in 4 CSR 240-60.010(3) are not duplicated in this rule or in rule 3.010, but notes that only one of those definitions is used in the Chapter 3 rules (the definition of sewage). As a result, it is not necessary to reference rule 60.010(3) in its entirety, but it is necessary to add the missing definition. Based on the above, the Commission is modifying the proposed rule by adding the definition of "sewage" found in rule 60.010(3) to this rule and renumbering the sections of this rule accordingly.

4 CSR 240-3.300 Definitions Pertaining Specifically to Sewer Utility Rules

- (1) Outlet means a service sewer connection to the collecting sewer.
- (2) Sewage means ground garbage, human and animal excretions and all other liquid waste normally disposed of by a residential, commercial or industrial establishment, through the sanitary sewer system.
- (3) Sewer service means the removal and treatment of sewage.
- (4) Sewer system includes all pipes, pumps, canals, lagoons, plants, structures and appliances and all other real estate, fixtures and personal property, owned, operated, controlled or managed in connection with or to facilitate the collection, carriage, treatment and disposal of sewage for municipal, domestic or other beneficial or necessary purpose.

RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☒ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☒ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in **section 3**, delete the footer text. **DO NOT** delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners
KELVIN L. SIMMONS
Chair
CONNIE MURRAY
SHEILA LUMPE
STEVE GAW
BRYAN FORBIS

Missouri Public Service Commission

POST OFFICE BOX 360
JEFFERSON CITY, MISSOURI 65102
573-751-3234
573-751-1847 (Fax Number)
<http://www.psc.state.mo.us>
January 23, 2003

ROBERT J. QUINN, JR.
Executive Director
WESS A. HENDERSON
Director, Utility Operations
ROBERT SCHALLENBERG
Director, Utility Services
DONNA M. PRENGER
Director, Administration
DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Matt Blunt
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Blunt,

RE: 4 CSR 240-3.540 - Annual Report Filing Requirements for Telecommunications Companies

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order rulemaking lawfully submitted by the Missouri Public Service Commission on this 23rd day of January 2003.

Statutory Authority: Sections 393.140(11), 386.250(6) and 536.016(1)

If there are any questions regarding the content of the rule, please contact:

Cliff E. Snodgrass
200 Madison Street, Suite 800
P. O. Box 360, Jefferson City, MO 65101
(573) 751-3966
cliffsnodgrass@psc.state.mo.us

Sincerely yours,

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

DHR:CES:rr

Enclosures: Transmittal Form, Order of Rulemaking & 3.5" Diskette

Title 4 – DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240 – Public Service Commission

Chapter 3 – Filing and Reporting Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Public Service Commission under sections 386.250 and 392.210, RSMo 2000, as currently supplemented, the commission adopts a rule as follows:

4 CSR 240-3.540 Annual Report Filing Requirements for Telecommunications Companies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 16, 2002 (27 MoReg 1625). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

RECEIVED
JAN 23 2003
SECRETARY OF STATE
ADMINISTRATIVE RULES